United Nations S/AC.51/2008/15

Security Council

Distr.: General
5 December 2008

Original: English

Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Chad

1. At its 17th meeting, on 5 September 2008, the Working Group examined the second report by the Secretary-General on children and armed conflict in Chad (S/2008/532), introduced by the Special Representative of the Secretary-General. A representative of the Mission of Chad to the United Nations participated in the subsequent discussion.

2. The main elements of the exchange of views among the Working Group are summarized below.

3. The members of the Working Group welcomed the submission of the report by the Secretary-General in accordance with Security Council resolution 1612 (2005) and the analysis and recommendations contained therein met with a generally favourable response.

4. Grave concern was expressed about the persistence of widespread violations and abuses committed against children in the situation of armed conflict in Chad, with particular expression of concern regarding the consequences of the outbreaks of violence in February and June 2008.

5. The members of the Working Group welcomed the concrete steps taken by the Government of Chad to put an end to illegal recruitment and use of children, in particular the agreement with the United Nations Children's Fund (UNICEF), signed on 9 May 2007, which led to the release of 512 children.

6. The Government of Chad was encouraged to address, in cooperation with the United Nations country team and civil society organizations, impunity for perpetrators of crimes and abuses against children.

7. Grave concern was expressed regarding the continuation of the recruitment and use of children by all parties to the conflict, in particular the Sudanese rebel movement Justice and Equality Movement (JEM) and certain local commanders of the Chadian armed forces.

8. Particular attention was paid to gender-based violence in Chad, and the Government of Chad was encouraged to address, in cooperation with the United Nations country team and civil society organizations, ending impunity for perpetrators of sexual violence against the girl child, through advocacy, legislative and other appropriate measures.

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9. Grave concern was expressed regarding the increased number of children killed and maimed as a result of the presence of anti-personnel landmines and unexploded ordnance.

10. Grave concern was also expressed about the increasing number of incidents related to humanitarian access and the targeting of humanitarian personnel and assets by parties to the conflict.

11. The members of the Working Group encouraged the international community to provide the Government of Chad with necessary support in its efforts to protect children affected by armed conflict.

12. Emphasis was given to the need for the Government of Chad to further translate commitments into concrete action on the ground to prevent any further illegal recruitment and to develop, with the help of the international community, sufficient capacity in disarmament, demobilization and reintegration programmes.

13. The United Nations Task Force, led by the Resident Coordinator was encouraged to bring the monitoring and reporting mechanism to full capacity in order to collect data on violations and abuses committed against children by Chadian opposition armed groups, Chadian self-defence militias and Sudanese rebel groups operating in eastern Chad and to engage with those groups on action plans for the release of children associated with them, in accordance with Security Council resolutions 1539 (2004) and 1612 (2005).

14. Concern was expressed regarding the attempted abduction of children by a non-governmental organization called "Children Rescue", and its negative impact on the perception of the work of civil society organizations carrying out humanitarian work for the benefit of children throughout the country. The members of the Working Group welcomed the measures taken by the Chadian authorities to bring to justice the perpetrators to prevent impunity.

15. The representative of Chad:

(a) Welcomed the density of information contained in the report by the Secretary-General (S/2008/532);

(b) Informed the Working Group on the positive contribution of the formation of police officers by the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the full deployment of international forces to reinforce security in refugee camps and, more generally, in eastern Chad;

(c) Reaffirmed the pledge of the Government of Chad to apply all its commitments and obligations concerning the rights of the child, in particular through the general inspection of the armed forces;

(d) Reaffirmed also the adhesion of his country to the Paris principles and commitments;

(e) Reiterated the willingness of Chadian authorities to cooperate with the Working Group, the United Nations and its funds and programmes and the specialized agencies, in order to demobilize and reintegrate children released from armed forces and groups.

16. Further to this meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including Security Council resolution 1612 (2005), the Working Group agreed to the following.

Public statements by the Chairman of the Working Group

17. The Working Group agreed to address messages to all the parties to the armed conflict in Chad, in particular those groups mentioned in the report of the Secretary-General, through public statements by its Chairman on behalf of the Working Group:

(a) *Recalling* its strong condemnation of the recruitment and use of children by armed groups, as well as all other violations and abuses committed against children in eastern Chad;

(b) *Calling* their attention to the fact that the Security Council has received a new report by the Secretary-General on children and armed conflict in Chad (S/2008/532);

(c) *Expressing deep concern* regarding the fact that, despite the public statement issued by the Working Group (see S/AC.51/2007/16), all parties have continued to recruit and use children and have failed to release all the children present in their ranks;

(d) *Also expressing deep concern* about the persistent high numbers of violations and abuses, including killings, maimings, sexual violence and abduction, committed against children by armed groups in eastern Chad;

(e) *Reaffirming* all the requests contained in its public statement, urging all parties to:

(i) Comply fully with international humanitarian law by, inter alia, protecting the civilian population, especially children;

(ii) Release unconditionally all children present in their ranks in any capacity in order for them to be reintegrated into their family and community, and engage at the earliest occasion with United Nations country team, in particular UNICEF, for an action plan in line with relevant Security Council resolutions, taking into account the Paris Principles (Principles and Guidelines on children associated with armed forces or armed groups), with a view to putting an end to the serious abuses perpetrated against children and ensuring transparent procedures for the release of all children;

(iii) Refrain from any new child recruitment and respect the neutrality of refugee camps and settlements of internally displaced persons as safe havens for children;

(iv) Allow, as a matter of priority, full, unimpeded and secure access for humanitarian assistance, as well as relevant international and national child protection actors.

(f) *Urging* them, in addition:

(i) To take all necessary measures to prevent killing and maiming of civilians, including as a result of indiscriminate or excessive use of force, and address prevailing impunity for such crimes;

(ii) To take immediate and specific measures to put an end to and prevent the perpetration of rape and other sexual and gender-based violence by members of their respective groups and to take measures so that perpetrators are brought to justice;

(iii) To immediately release, without conditions, all abducted children, ensure their safe return back to families and communities and take all necessary measures to put an end and prevent abduction;

(iv) Emphasizing that the Working Group will closely monitor, inter alia through the reports by the Secretary-General on children and armed conflict, compliance with Security Council resolution 1612 (2005) by all parties to the armed conflict in Chad until there is complete release of children associated with them and full implementation of action plans;

(v) Also emphasizing that further steps may be considered against armed groups if they do not abide by their obligations under applicable international law and relevant Security Council resolutions, including Security Council resolution 1612 (2005);

(vi) With regard to JEM, to note with grave concern that it has also been one of the armed groups that have been the object of a similar message in the context of the Working Group conclusions on the situation of children and armed conflict in the Sudan (S/AC.51/2008/7) and that, unlike some other armed groups in Sudan, it still has not engaged in the negotiation of an action plan and has continued to recruit and use children in military operations.

Recommendation to the Security Council

18. The Working Group agreed to recommend that the President of the Security Council transmit letters by the Chairmen of the Working Group:

To the Government of the Republic of Chad

(a) *Welcoming*:

(i) The commitments taken to put an end to the recruitment and use of children by certain local commanders of the Chadian National Army;

(ii) The concrete steps already implemented, which led to the release of 512 children in 2007 and of all children associated with the armed groups in detention during the visit in Chad of the Special Representative of the Secretary-General for children and armed conflict in May 2008;

(iii) The ongoing cooperation with the Working Group;

(iv) The seminar on child rights, held in N'Djamena on 22 and 23 October 2007;

(v) The attendance at the ministerial meeting on the Paris principles, on 26 September 2008;

(b) *Urging* it:

(i) To implement all the commitments taken, in particular:

a. The conclusions on children and armed conflict in Chad of 24 September 2007 (S/AC.51/2007/16);

b. The identification of a high-level contact point on child protection issues to liaise with the task force on monitoring and reporting and facilitate its work, to coordinate the elaboration and implementation of action plans ensuring the prevention of illegal recruitment of children and transparent procedures for the release and verification of children in its forces and the establishment of an appropriate national institution coordinating the release and reintegration of children associated with armed forces and groups and to tackle all violations and abuses committed against children in armed conflict, including killing and maiming of children and rape and other grave sexual violence against children;

c. The creation of an inter-ministerial task force committed to develop reintegration strategies for children;

(ii) To take the necessary actions towards the full implementation of its commitments and obligations on the ground, advisably through the development, with the support of the United Nations and relevant civil society organizations, of a time-bound action plan ensuring the prevention of unlawful recruitment of children and transparent procedures for the release and verification of children in its forces and the establishment of an appropriate national institution to coordinate the release and reintegration of children associated with armed forces and groups;

(iii) To increase security and protection of the civilian populations, including children, in particular in and around the refugee camps and settlements of internally displaced persons, including through possible cooperation with the international community, bearing in mind the positive impact of such measures on the prevention of child recruitment, sexual violence, abduction and other violations and abuses committed against children;

(iv) To take additional measures, with the support of the international community, to minimize the number of children killed and maimed, inter alia, as a result of the presence of anti-personnel landmines and unexploded ordnance;

(v) To develop capacity, with the support of the United Nations country team and the international community, in the areas of advocacy, community awareness and reintegration programmes for children formerly associated with armed forces and groups;

(vi) To undertake the required reform of national legislation for the protection of children, through, inter alia, criminalization of the unlawful recruitment and use of children in armed conflict in accordance with the obligations assumed by Chad under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in order to put an end to impunity and prevent further violations;

(vii) To further address impunity for perpetrators of violations and abuses committed against children by strengthening its child protection capacity and the commitment of law enforcement and judiciary officials to rigorously investigate and prosecute crimes against children, including killings,

maimings, sexual violence, abduction and all other forms of crime, and by raising awareness about the rights of the child and humanitarian and other relevant international law throughout the society, in particular within the Chadian armed forces;

To the Secretary-General

(c) *Welcoming* his recommendation to MINURCAT, the United Nations country team and the task force on monitoring and reporting to continue to seek the establishment of systematic dialogue with all parties to the conflict, with the aim of preparing action plans to end the recruitment and use of children in armed forces and groups as well as other abuses committed against children and violations of international humanitarian law;

(d) *Inviting* him to ensure, given the regional dimension of the crisis involving Chad, the Sudan and the Central African Republic and the grave implications for children, that mechanisms are in place for better information exchange and closer cooperation between respective United Nations country teams and peacekeeping missions on child protection issues;

(e) *Also inviting* him to promote dialogue among relevant stakeholders organizations aiming at enhancing child protection and prevention of child recruitment in the region, including cross border issues;

(f) *Further inviting* him, given the regional dimension of the crisis, in consultation with the Governments concerned, to highlight the need for enhanced capacity in child protection, including the capacity to protect children from killings, maimings, sexual violence, abduction and all other grave forms of violence, is taken into account and effectively implemented by MINURCAT, the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the European Union-led military force (EUFOR) and the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA), in accordance with their respective mandates;

(g) *Inviting* him to request the United Nations Development Programme (UNDP) and UNICEF and other relevant United Nations agencies, within their respective mandates and in close cooperation with the Government of Chad, to continue to address socio-economic issues, which will also contribute to addressing the welfare of children affected by armed conflict, including strengthening national institutions and providing further assistance in the implementation of rehabilitation and reintegration programmes, to strengthen the education system, including in conflict affected areas, and to marshal and allocate adequate resources for the effective implementation of projects in the area of poverty alleviation;

(h) *Addressing* the long-term effects of armed conflict on children by supporting the development of an adequate health-care system to facilitate their full recovery, including special attention to psychological care for all children affected by armed conflict, and appropriate health care and services for affected girls;

(i) *Informing* him of the concern of the Working Group that the lack of financial resources for capacity-building in Chad for disarmament, demobilization and reintegration programmes for children, including in the field of education, poses a significant challenge, and inviting him to call on the international community to continue to allocate funding in this regard.

Direct action by the Working Group

19. The Working Group agreed that the Chairman would address letters to the World Bank and donors:

(a) *Calling* their attention to the need to rapidly support the Chadian authorities in developing capacities to respond to the release of children used for a number of different combat and non-combat roles by armed forces and armed groups;

(b) *Requesting* that they ensure that sufficient resources are made available to support programmes and local capacities in the areas of advocacy, community awareness reintegration activities for children formerly associated with armed forces and groups and response to violations and abuses committed against children, including strengthened child protection mechanisms in the refugee camps and in the internally displaced persons settlements inside Chad;

(c) *Encouraging* them to provide funding to support the Government of Chad and relevant humanitarian actors in reintegration activities for children formerly associated with armed forces and groups and drawing their attention to the importance of educational and socio-economic reintegration, including poverty alleviation activities, in order to prevent the recruitment and the use of children in armed forces and groups by providing those children with a viable alternative.